

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE CLAIMS

Independent claims 1 and 19 have been amended to more clearly recite the distinguishing features of a medical image photographing system and method of the present invention.

In addition, the claims have been amended to make some minor grammatical improvements and to correct some minor antecedent basis problems so as to put them in better form for issuance in a U.S. patent. In particular, claims 1 and 19 have been amended to remove the term "and/or" objected to by the Examiner.

Still further, claim 19 has been amended to be directed to a single statutory class of invention, and claims 2-4, 10-18 and 20-28 have been canceled, without prejudice.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered, and that the objection to the claims and the rejections under 35 USC 101 and 35 USC 112 be withdrawn.

THE PRIOR ART REJECTION

Claims 1-5 and 10-14 were rejected under 35 USC 103 as being obvious in view of the combination of US 2003/0020813 ("Iida"),

US 2001/0041991 ("Segal et al") and US 2002/0188187 ("Jordan"), and claims 6-9 and 15-28 were all rejected under 35 USC 103 as being obvious in view of various combinations of Iida, Segal et al and Jordan together with one or more of USP 6,041,411 ("Wyatt"), USP 4,567,897 ("Endo et al") and "Official Notice." These rejections, however, are respectfully traversed with respect to pending claims 1, 5-9 and 18 as amended hereinabove.

The present invention as recited in amended claim 1 is directed to a medical image photographing system which comprises a control apparatus which controls a generating operation of medical images, a first portable terminal connected to the control apparatus and which obtains photographing order information from the control apparatus and displays the obtained photographing order information, and a medical image generating apparatus which generates medical image data of the patient. As recited in amended claim 1, the medical image generating apparatus is connected to the control apparatus through a network and transmitting the medical image data to the control apparatus through the network, and the first portable terminal transmits registering information of the medical image corresponding to the obtained photographing order information to the control apparatus. In addition, as recited in amended claim 1, the control apparatus comprises a photographing order information storage which stores the photographing order information, an

interface which transmits the stored photographing order information to the first portable terminal and receives the registering information from the first portable terminal, a registering information storage which stores the received registering information of the medical image, and a control unit which corresponds the medical image data transmitted from the medical image generating apparatus with the photographing order information according to the registering information of the medical image. Still further, as recited in amended claim 1, the control unit sets a transmission-completion flag to the stored photographing order information transmitted to the first portable terminal, and prohibits the interface from further transmitting the photographing order information when the transmission-completion flag is set to the photographing order information.

The present invention as recited in amended independent claim 19, moreover, is directed to a medical image photographing method which comprises storing photographing order information in a photographing order information storage of a control apparatus, transmitting the stored photographing order information to a portable terminal by an interface of the control apparatus, receiving registering information of the medical image for the transmitted photographing order information from the portable terminal via the interface, storing the received registering information of the medical image in a registering information

storage of the control apparatus, and corresponding the medical image data generated by a medical image generating apparatus with the photographing order information according to the registering information of the medical image via a control unit of the control apparatus. As recited in amended independent claim 19, the method also comprises setting a transmission-completion flag to the stored photographing order information transmitted to the portable terminal via the control unit, and prohibiting further transmission of the photographing order information when the transmission-completion flag is set to the photographing order information.

Thus, with the structure and method of the claimed present invention, a transmission-completion flag is set to stored photographing order information after the photographing order information has been transmitted to a portable terminal, and further transmission of the photographing order information, (e.g., to another portable terminal) is prohibited when the transmission-completion flag is set. See the disclosure in the specification at, for example, page 117, line 1 to page 120, line 19 with reference to Fig. 37. As described in the specification, by setting the transmission-completion flag after a first transmission of the photographing order information, the claimed present invention advantageously prevents redundant transmissions, e.g., to another portable terminal.

It is respectfully submitted that this advantageous effect is critical in a medical facility wherein multiple portable terminals are used and portable photographing of a patient is performed. By setting a flag to stored photographing order information as according to the present claimed invention, photographing of the same patient by different medical personnel at different times is prevented since once the flag is set by the first transmission of the photographing order information, the same photographing order information cannot be further transmitted, and thus further photographing cannot be performed. As a result, redundant photographing is avoided and patients are prevented from exposure to unnecessary radiation.

It is respectfully submitted that the cited prior art references fail to disclose or suggest setting a transmission-completion flag to stored photographing order information transmitted to a portable terminal so that further transmission of the photographing order information is prohibited.

Iida discloses an imaging system wherein an order to print an image kept in an image server 18 is transmitted from a portable terminal 14.

Segal et al discloses a system in which medical information including paper document and medical images is digitized and associated with patient information.

And Jordan discloses a system wherein photographing information and patient information are removed from the diagnostic images so that the diagnostic images and the patient information are associated with each other.

It is respectfully submitted, however, that in contrast to the claimed present invention, Iida, Segal et al and Jordan do not disclose or suggest a medical image photographing system and method wherein a transmission-completion flag is set to stored photographing order information transmitted to a portable terminal so that further transmission of the photographing order information is prohibited, as according to the present claimed invention. And it is respectfully submitted that the cited prior art references cannot achieve the above described advantageous effect achieved by the claimed present invention.

Still further, it is respectfully submitted that Wyatt and Endo et al also fail to disclose or suggest a medical image photographing system and method wherein a transmission-completion flag is set to stored photographing order information transmitted to a portable terminal so that further transmission of the photographing order information is prohibited, as according to the claimed present invention.

In view of the foregoing, it is respectfully submitted that the present invention as recited in amended independent claims 1 and 19, and claims 5-9 depending from claim 1, clearly patentably

distinguishes over the cited references, taken singly or in any combination consistent with the respective fair teachings thereof, under 35 USC 103.

* * * * *

Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

/Douglas Holtz/

Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
220 Fifth Avenue - 16th Floor
New York, New York 10001-7708
Tel. No. (212) 319-4900

DH:br/bl